

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
November 18, 2014

A reception was held for Trustee Bushouse at 4:00 p.m. prior to the work session with approximately 20 people attending. Supervisor Heiny-Cogswell presented a tribute from the Governor's Office honoring Trustee Bushouse's service to the community.

Township Board work session was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at 5:00 p.m.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Dave Bushouse
Trustee Dusty Farmer
Trustee Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Planning Director Greg Milliken and 3 interested people.

Public Comment – Wylie Boulding commented the Board should consider banning leaf burning.

Update – KL Landfill – Groundwater Restricted Zone – Information from the Kalamazoo County Health and Community Services Department was provided regarding the establishment of a Groundwater Restricted Zone (GRUZ) in areas west and northwest of the former KL Landfill.

Discussion – Zoning Text Amendments – West Main/9th Street Sub Area Plans – Planning Director Greg Milliken reviewed the proposed text amendments regarding the implementation of the West Main/9th Street Sub Area Plans. He and Trustee Farmer, Township Board Liaison to the Planning Commission, answered Board members questions regarding setbacks, efforts to retain natural features, landscaping, and signage. This item will be taken up at the regular meeting.

Discussion – Water Connection Agreement – Engineer Elliott reviewed the proposed water connection agreement with Scott W. Taylor Excavating for water connections. This item will be taken up at the regular meeting.

The Board work session adjourned at approximately 6:25 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at 7:00 p.m.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Dave Bushouse
Trustee Dusty Farmer
Trustee Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Planning Director Greg Milliken, Fire Chief Mark Barnes and 6 interested people.

CITIZEN COMMENTS

None.

CONSENT AGENDA

Items on the consent agenda were:

- a) Minutes of the October 28th regular meeting.
- b) Receipts & Disbursements Report.
- c) 2015 Property & Liability Insurance
- d) 2015 Poverty Exemption Standards
- e) 2015 Depositories
- f) 2015 Township Board Meeting Dates

Motion by Larson, second by Farmer to approve the consent agenda. Carried 6-0.

ZONING AMENDMENTS – WEST MAIN/9TH STREET SUB AREA PLANS – FIRST READING

Planning Director Greg Milliken presented a recommendation from the Planning Commission to approve zoning text amendments to implement the West Main/9th Street Sub Area Plans as outlined in the Master Land Use Plan (MLUP). He advised the amendments establish greater flexibility with appropriate conditions to ensure desired character is maintained while permitting expanded commercial and service opportunities along the West Main and 9th Street frontages with increased residential serving as a buffer between the non-residential and existing neighborhoods outside the designated sub areas. Standards and restrictions are included to ensure these options are implemented within the desired character envisioned in the sub-area plans. He further noted currently the majority of the sub-areas is zoned R-2, which is the primary single-family residential designation in the Township; portions are also included within the existing 9th Street Focus Area Overlay, implemented in 1998 and allows for limited office and light commercial use in some areas along West Main and KL Avenue.

Mr. Milliken advised the proposed text amendments would replace the current language in the 9th Street Overlay Zone chapter of the Zoning Ordinance, property owners have the option to develop under the R-2 standards or opt for the overlay which allows for increased flexibility in exchange for increased control in specific circumstances.

He further advised additional language is proposed for the Planned Unit Development (PUD) section of the Zoning Ordinance, a development technique allowing larger properties greater ability to modify requirements in an effort to establish high quality, innovative, and coordinated development. He noted the current PUD language is limited to residential development; the proposed expanded language would include commercial and industrial development as well.

Mr. Milliken also advised the proposed text amendments would replace language in the CR Local Business District chapter to ensure consistency with the current language regarding PUDs.

He also advised the Planning Commission held multiple meetings over the past year and received public comment.

Trustee Farmer, as Township Board liaison to the Planning Commission, commented she wished to assure the Board there was much discussion and a thoughtful process gone through keeping the MLUP and public comment in mind.

Board members commended the Planning Commission for their work on this effort.

Motion by Larson, second by Culp to accept the proposed text amendments for First Reading and set Second Reading for December 9th. Carried 6-0.

2015 BUDGET PUBLIC HEARINGS

Supervisor Heiny-Cogswell commented it is appropriate to acknowledge the inclement weather, noting there is public in attendance. Board consensus was to hold the hearings as scheduled.

FIRE PROTECTION SPECIAL ASSESSMENT DISTRICT

Supervisor Heiny-Cogswell advised she had received and answered questions from a citizen which had been provided to the Board. She noted there had been five public work sessions regarding the budget. She commented it is important to receive public comment and answer questions, in the questions responded to there has been nothing improper, some line items were renamed for clarity, and in an effort to be transparent, the budget and receipts and disbursements are available online.

Trustee Bushouse commented he is comfortable with the budget as presented; a special assessment has an annual hearing for public comment opposed to a millage which is set for certain number of years.

There was no public comment.

Motion by Everett, second by Larson to adopt the Fire Protection Special Assessment Resolution for 2015 at 2.5 mills, in the amount of \$ 1,690,845. Roll call showed Bushouse-yes, Culp-yes, Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes.

STREET LIGHT SPECIAL ASSESSMENT DISTRICT

Treasurer Culp advised parcels with frontage within 200 feet of a street light are assessed.

Elaine Branch, 7654 West Main, inquired if many new street lights being added each year or just when subdivisions are established. Treasurer Culp advised when a light is requested, there would be a public hearing, however, when plans for a development are submitted, the lights are included.

Trustee Bushouse commented he felt there should be a light added at the driveway to Station No. 2 on South 6th Street and also on KL Avenue west of 11th Street. Treasurer Culp advised she had contacted Consumers Energy regarding KL Avenue, is awaiting a response, and would further contact them regarding South 6th Street. Fire Chief Barnes advised the 2015 Fire Department budget includes improvements at the driveway for Station No. 2 including lighting.

Motion by Everett, second by Culp to adopt the Street Light Special Assessment Resolution for 2015 at .3 mills, in the amount of \$139,027. Roll call showed Heiny-Cogswell-yes, Larson-yes, Bushouse-yes, Culp-yes, Everett-yes, Farmer-yes.

POLICE PROTECTION SPECIAL ASSESSMENT DISTRICTS

Attorney Porter noted the proposed special assessment amounts in the resolution differ from the amount in the public notice; to meet the legal requirement for publishing dates, the notices were submitted prior to Board discussion to lower the amounts.

There was no public comment.

Trustee Bushouse commented he is opposed to reducing the amount; he feels the assessment should be the same Township wide at 2.5 as is the Fire Department and to follow the consultant's recommendation additional funding will be needed; he will vote no, because he is opposed to the reduction.

Motion by Heiny-Cogswell, second by Larson to adopt the Police Protection Special Assessment Districts Resolution for 2015 at 2.5 mills for District 2003-1 and .5 mills for District 2009-1 in the amount of \$701,404. Roll call showed Larson-yes, Bushouse-no, Culp-yes, Everett-yes, Farmer-yes, Heiny-Cogswell-yes.

GENERAL FUND PUBLIC HEARING

Elaine Branch, 7654 West Main, thanked the Township for providing the public the chance to review the budget prior to adoption, the website is a wonderful way for the public to stay informed, Township staff should be recognized for their efforts. She also commented she appreciated the Supervisor's budget review provided online, it was well written and included much needed explanation regarding plans for spending as well as how it was developed and the work sessions, open to the public, shows the commitment the Board has for transparency and openness. She further thanked the Board for their continuing work to protect the community and help it be a great place to live.

Supervisor Heiny-Cogswell commented she did receive one informal comment from a citizen that he appreciates the manner in which the board goes through the budget process with the work sessions.

Motion by Farmer, second by Larson to adopt the General Fund Budget Resolution for 2015 at .9765 mills in the amount of \$702,833 and a resolution regarding routine expenditures. Roll call showed Culp-yes, Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes, Bushouse-yes.

RESOLUTIONS - OFFICIALS SALARIES

Supervisor Heiny-Cogswell advised the salaries for full time officials reflect the same cost of living and performance increase as proposed for staff.

Motion by Culp, second by Larson to adopt the resolution establishing the Supervisor salary at \$66,300 for 2015. Roll call showed Culp-yes, Everett-yes, Farmer-yes, Larson-yes, Bushouse-yes, Heiny-Cogswell-abstain.

Motion by Heiny-Cogswell, second by Farmer to adopt the resolution establishing the Clerk salary at \$66,300 for 2015. Roll call showed Farmer-yes, Heiny-Cogswell-yes, Larson-yes, Bushouse-yes, Culp-yes, Everett-abstain.

Motion by Everett, second by Larson to adopt the resolution establishing the Treasurer salary at \$66,300 for 2015. Roll call showed Farmer-yes, Heiny-Cogswell-yes, Larson-yes, Bushouse-yes, Everett-yes, Culp-abstain.

Motion by Heiny-Cogswell, second by Culp to adopt the resolution establishing the Trustee salary at \$2,400 per year plus \$100.00 per board meeting and \$50.00 per committee meeting for 2015. Roll call showed Bushouse-yes, Culp-yes, Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes.

2015 POLICE PROTECTION AGREEMENT

Supervisor Heiny-Cogswell advised the proposed contract was drafted based on Board discussion and consensus at the October 28th meeting; it maintains the same level of contracted deputies as the current contract.

Attorney Porter advised the proposed contract is same as the current, however, it does contain a 60 day termination notice; this provides a stop gap until such time a different agreement is achieved.

Clerk Everett commented her concern is to keep the process moving forward; should the contract be for a year, the Board should set some definite benchmarks or timelines to ensure the process does keep moving.

Trustee Farmer commented she agreed the process must keep moving forward but felt comfortable with the 60 day option since it would likely take that long to put any new process in place.

Supervisor Heiny-Cogswell commented the points are well taken and advised there are meetings scheduled.

Motion by Larson, second by Farmer to approve the proposed agreement with the Kalamazoo County Sheriff's Department, with the provisions as discussed. Carried 6-0.

2015 WATER CONNECTION AGREEMENT & FEES

Engineer Elliott presented a recommendation from the Capital Improvements Committee to adopt a proposed resolution to extend the water services connection contract with Scott W. Taylor Excavating for an additional year, through 2015, with revised unit costs. He reminded the Board the City of Kalamazoo no longer performs water service connections; the cost is borne by the customer but the Township contracts for the service; use of a single vendor has been very successful with coordination of services better streamlined.

Motion by Culp, second by Larson to adopt the resolution as presented. Roll call showed Heiny-Cogswell-yes, Larson-yes, Bushouse-yes, Culp-yes, Everett-yes, Farmer-yes.

BOARD MEMBER COMMENTS

Board members thanked Trustee Bushouse for his years of service and wished him well.

Trustee Bushouse thanked those who supported him. He also commented township politics should not have a label; officials represent 22,000 residents and should do what is best for the community.

There was no further business and the meeting was adjourned at approximately 8:05 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: ELIZABETH HEINY-COGSWELL
Supervisor